

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

CLARENCE R. SANKS,

\*

Plaintiff,

\*

vs.

\*

CASE NO. 4:09-CV-87 (CDL)

TIMOTHY FRANKLIN, et al.,

\*

Defendant.

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ORDER ON REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE

After a *de novo* review of the record in this case, the Report and Recommendation filed by the United States Magistrate Judge on November 17, 2009 is hereby approved, adopted, and made the Order of the Court.

The objections of the Plaintiff, which he has included in a filing entitled "Motion for Reconsideration from the Magistrate's Report and Recommendation," have been considered and are found to be without merit. The Court observes that Plaintiff raises some issues in his objections that were never raised before the Magistrate Judge. The Court exercises its discretion not to address those issues for the first time at this stage of the proceedings. See *Williams v. McNeil*, 557 F.3d 1287, 1292 (11<sup>th</sup> Cir. 2009).

IT IS SO ORDERED, this 13th day of January, 2010.

S/Clay D. Land

CLAY D. LAND

UNITED STATES DISTRICT JUDGE